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Said Commissar at the instance of the said James Hamilton
Surgeon as tutor administrator in Law and Opposer for
his said Son Executor for and of his said mother shall be
made forth coming to all persons having interest therein
as records of Law and the said James Hamilton opposer
said oblige me my heirs Executors and Successors for the
John Robertson his Relief of his Cause written and of
all Danger & expenses thereabout Converting these
presents be Registered in the Books of Council &
Session Commissar Court Books of Glasgow or any
other Competent That Letters of homing on six day
and other Execralls necessary may hereon pass and
for that effect Constitutes Robert Chapman writer in
Glasgow proff In witness whereof these presents
wrote by John Jarvie writer in Glasgow the Sub-
scribed at Glasgow the twenty second day of Janu-
ary 1745 and fourth five years before these
Witnesses James Stewart Writer in Glasgow &
the said John Jarvie Signed John Robertson James
Stewart witness John Jarvie witness

Testament Testamentar

Ungell of the Goods Gear debts and Sums of money that
pertained and Belonged and were added and owing
John Earl of Wigton to the deceased John Earl of Wigton the time of his
death which happened upon the tenth day of Febru-
ary 1745 and fourth four years and whose private
Residence was at the house of Cumberland in the
paroch of Easter Leuzie Faithfully made and
Given up by the Defuncts own mouth so far as Con-
cerns the nomination of his Executors and universal
Legators and partly made and Given up by
Earl of Danmure designed in the settlement after
mentioned William Maull of Danmure Esq John
Maull of Junerkeiller Esq and William Fleming
of Warochan so far as Relates to the appur-
ing the Goods Gear and Debts underwritten and
which William Earl of Danmure John Maull
and William Fleming are the only Accepting
Executors nominate of the said Defunct and as such
have the sole and undoubted Right to the Man-
agement and Administration of his Executors movables

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In manner and Conform to the Destination and Nomination afterm^od V^z In so far as he the said deceased John Earl of Wigtown by Disposition and Settlement subscribed by him of the date the twenty fifth day of January last past and fairly had disposed and made over, To and in favour of the said William Earl of Sutherland (Wherin deneged as aforesaid) John Maule Thomas Drummond of Logie Almond Esq^r M^r Alexander Lochhart Advocate and the said two fleering and fulzeing any of them by decease or non Acceptance To those who should Accept or the Survivers or Surviver of them in trust for the uses and purposes therein particularly by mentioned All and hault the Lands & other immovables specified as also all and whatever debts and Sums of money heretable or Movable Gold and Silver Coyuzed and Uncoyuzed horse wolt Sheep and all other Goods and Gear whatsoever that should happen to be pertaining and Belonging to him at the time of his death and all bonds heretable or movable obligations Assignations Translations Dispositions Backbonds Reversions back Assignations and all other writes Rights and Securities what soever made and Granted or that should happen To be made and Granted in his favours and which Disposition contains the Defuncts nomination of his Exors in the following words " And I hereby
" nominate and Appoint my said Accepting Trustees or the Survivers or Survivers of them to be
" my Sides Exors and Unversale Legatow and Jurisconsultors with my whole movable Goods & Gear
" for the uses and purposes and under the Reservations provisions and Conditions mentioned
" Hereby excluding all others from the said office" As the said Disposition of the de. before also containing a Clause dispensing with the not delivery thereof Inset and Registrate in the Books of Council & Session upon the twentieth day of Aprile last in it self fully bears one Extract whereof was produced & returned to the producer
Inventory

Testament Factor

Uniq^l

John Earl of Wigtown

The said Defunct John Earl of Wigtown had

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lying by him in a Cabinet at Edinb the first and time
of his death In Gold Silver and Bank notes One hundred
and sixty one pound four Shillings and six pence
Sterling Item in a Cabinet at Cumbernauld Eighteen
Crown pieces and a Guinea fides five pound ele
ven Shillings Sterling Item the said Defunct
had pertaining and Belonging to him the time
fore said the horse Cows and other underwritten
which since his death were sold at a publick roup
to the persons after named for the prices after pre
sented With a Cow and a Calf to Peter Stevenson
in Sterling for thirty nine pound twelve Shilling
Scots Item a Cow and a Calf to Alexr Boyd in
Cumbernauld for thirty three pound six Shilling
and eight pence Scots Item a Cow and a Calf to
James Robertson in Falkirk for thirty three
pound Scots Item a Cow to Charles Stewart in Gark
shore for thirty three pound six Shilling eight
pennies Scots Item four Shilings to John Langm
Bainton for thirty four pound Scots Item a
Mare to Mrs Haldares of Bearcross for one
hundred and eight pound Scots Item a Fille to
William Leishman in Westerwood for forty
four pound Scots Item a Mare to Peter Wimmer
in Forphichen for seventy two pound Scots And
a little horse to William Stevenson in Bolk Pon
ner for twenty five pound four Shilling Scots
Extending the said Lying money and prices
fore said of the said Goods to the sum of two
thousand and one pound six Shilling Scots mo
ney Summa Inventaris prelat

Testam^t Testamentar

Wing

John Earl of Wigton

In the next place there was added and owing to the
said Defunct the time fore said of his death the sum
of One thousand Merks Scots of principal with the
penalty Annexed thereto And one hundred and Eighty
two pound Eleven Shilling and four pence Scots
Only Resting of the interest of the said principal sum
from the term of whitunday July 1743 and thence

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Two years to the time of the Defuncts death contained
in a bond granted to the Defunct thereof by William
Fleming of Barochan of the date the nineteenth of
November fify and twenty four years
Summa of the sum of both Good and Debt
ijaj, viij, £ 10 s 6 d Scots

Confirmation granted hereon in Common form by
William Weir Commissary Depute of Glasgow and
Alex Stevenson Clerk of the said Commissariat at
Glasgow the twenty third day of January fify
and forty five years

Bond of Cautionary

In presence of William Weir Commissary Depute of
Glasgow Compared Hugh Craufurd Senior writer in
Glasgow as pros for Robert Leitch and the other parties
obligatis after named and designed and gave in the
Bond of Cautionary under insert Desiring the same
might be registered in the Commissariat Court books
of Glasgow to the effect mentioned in the Clause of Re-
gistration therein & After insert which devre the
Commissary Depute found Reasonable Ordained the
same to be done accordingly and Whereof the tenor
follows I Robert Leitch writer in Sterling bind and
obligementary heirs Executors and Successors as Cautioners
sirely Acted in the Commissary Court Books of Glas-
gow for the Right Honourable William Earl of Man-
more resigned in the Disposition & Settlement after men-
tioned William Maule of Panmure Esq John Maule
of Junackiller Esq & William Fleming of Barochan
the only three Accepting Executors and Trustees nominated by
the deceased John Earl of Westoun conform to the disposi-
tion and Nomination made by him in their favours dated
the twenty fifth of January fify and forty two and
Registered in the Books of Councils & Session the twen-
ty fifth day of Aprile last That the whole Good Gear debts &
sums of money to be given up and Comprised by the said
William Earl of Panmure John Maule and William
Fleming three of the Accepting trustees & Executors of
the said Deceased Earl of Westoun in the said deceased
Earls as prosse Confirmed Testament before the Commy
of Glasgow shall be made forthcoming to all parties having
Interest as Records of Law And in Regard We the said

Testament. Estar

Wingle

John Earl of
Westoun

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Robert Leitch Cautioner and also the said William Earl of
panmure & John Maule doe not reside within the
Bounds of the said Commissariat Therefore we doe here-
by appoint the Comings Clerk of Glasgow his officers to be
our Domites Declaring that a Citation left for us
thereat at the instance of the Creditors Legators or
any other person or persons having interest in the
subject to be confirmed To compare before the said
Commissar with all that shall follow thereon shall
be as valid and effectually right as if we locally lived
within the said Commissariat which we doe hereby
prorogate And we the said William Earl of panmure
John Maule and William Fleming bind and oblige
us jointly and Seally our heirs Exors and Successors to
free Release discharge and Shaithe keep the said
best Leitch our Cautioner & his posteriors of their haile
Cautionry for us in the premises & of all Dangers &
Expense thereanent Consenting to the Registration
hereof in the Books of Councils & Session Courts
Books of Glasgow or any other Judges Books Compe-
tent That Letters & Executalls of warning on Sea days &
others needfull may pass hereon And thereto Com-
mits Hugh Crawford Senior writer in Glasgow pro-
In witness whereof these presents written by Hugh
Crawford Junior writer in Glasgow are subscribed as
follows By the said Robert Leitch at Cumbernauld
the twentieth first day of December One thousand seven
hundred and forty four years before these witnesses
John Wardlaw factor to the late Earl of Wigton &
Alexander Day Schoolmaster of Cumbernauld The
Date witnesses names & designations Being Jurat
By the said Robert Leitch and by the said William
Earl of panmure & John Maule at London the first
day of January forty and thirty five years be-
fore these witnesses Edward Morgan Servant to His
Grace the Duke of Argyll and David Carnegie Servant
to the said William Earl of panmure And by the said
William Fleming at Barrochan the fourteenth day of
the said month of January and year of God Lord Jesus
before these witnesses William Hamilton of Laidland
& Charles Hamilton of Lundwater at Forind The place date

Testament Testar
Maule
Earl of Wigton

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and witnesses designations to the subscription of the saids
William Earl of Panmure, John Maule, and William Fleming
as well as the names of the saids Witnesses being filled
up by Hugh Crawford senior writer in Glasgow signed
Robert Leitch Panmure Jo: Maule Will: Fleming
Wardlaw witness Alexr Day witness Edward
Morgan witness David Carnegie witness Wm Hamilton
witness Chas Hamilton witness

Eik

11m qll

John McFarland

I Mr Charles Mauleland of petrichie ad.
vocate Comynsair of Glasgow by the tenor hereof Robtly
approve and of new again confirm Helen Campbell Hei-
rit of the Deceased John McFarlane in Auchinroig &
Eor. Dative qua such formerly decreed & Confirmed
to her said deceased husband In & to the sum of two
hundred pounds twelve Shilling & Eight pence Scots
money as the excrescence / after Deduction of the

5th

Charges in buying and selling the Defuncts mo-
vables subject In and About his house at his death
& other ways / At which the said Defunct John Mc-
Farland his movables Goods and Gear formerly given
up and Confirmed by the said Helen Campbell in
his private Confirmed testament Dative were bought
and sold at higher than the same were valued at
In the said private Confirmed testament Dative Item
In and To ane Box bed valued at four pound ten Shilling
Scots Item In and To the third parts of a Copper
Shell valued the said third parts at five pound eight
Shilling Scots Item ane old Lillie working fat valued at
six Shilling Scots Item fourteen ells of course kerseie valued
at four pound four Shilling Scots Item a Course table
Cloath & some old towels valued at one pound money
and which Goods in the five Articles mentioned with
the saids Sums written were omitted and left
forth of the said ^{Defunct} John McFarland his private Con-
firmed testament by the said Helen Campbell as not
having come to her knowledge the time of Confirmation
thereof But of late times and Give and Commit
full power of subscription with the said Sums
of money and Goods to the said Helen Campbell Eor
Dative Qua Relict formerly decreed and confirmed